

109TH CONGRESS
2D SESSION

H. R. 5700

To amend the Clean Air Act to provide for a reduction in the number of boutique fuels, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2006

Mr. BLUNT (for himself, Mr. CANTOR, Mr. RYAN of Wisconsin, Mr. GREEN of Wisconsin, Mr. PUTNAM, Mr. KIRK, Mr. MCHENRY, Mr. WICKER, Mr. SENSENBRENNER, Mr. PETRI, Mr. CONAWAY, Mr. AKIN, Mr. KINGSTON, Mr. CALVERT, and Mr. FRANKS of Arizona) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Clean Air Act to provide for a reduction in the number of boutique fuels, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Boutique Fuel Reduc-
5 tion Act of 2006”.

6 **SEC. 2. TEMPORARY WAIVERS.**

7 Section 211(c)(4)(C)(ii)(II) of the Clean Air Act (42
8 U.S.C.7545(c)(4)(C)(ii)(II)) is amended by inserting after
9 “equipment failure” the following: “, unexpected problems

1 with distribution or delivery equipment that is necessary
 2 for transportation and delivery of fuel or fuel additives”.

3 **SEC. 3. REDUCTION IN NUMBER OF BOUTIQUE FUELS.**

4 Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C.
 5 7545(c)(4)(C)) is amended as follows:

6 (1) By redesignating the clause (v) added by
 7 section 1541(b) of the Energy Policy Act of 2005
 8 (Public Law 109–58; 119 Stat. 1106) as clause (vi).

9 (2) In clause (vi) (as so redesignated)—

10 (A) in subclause (I) by striking “approved
 11 under this paragraph as of September 1, 2004,
 12 in all State implementation plans” and by in-
 13 serting in lieu there of “set forth on the list
 14 published under subclause (II), or if the list has
 15 been revised under subclause (III), on the re-
 16 vised list”;

17 (B) by amending subclause (III) to read as
 18 follows:

19 “(III) The Administrator shall, after notice
 20 and opportunity for comment, remove a fuel
 21 from the list published under subclause (II) if
 22 the Administrator determines that such fuel has
 23 ceased to be included in any State implementa-
 24 tion plan or is identical to a Federal fuel con-
 25 trol or prohibition promulgated and imple-

1 mented by the Administrator. The Adminis-
2 trator shall publish a revised list reflecting the
3 reduction in the number of fuels.”;

4 (C) in subclause (IV) by striking “Sub-
5 clause (I)” and inserting “Neither subclause (I)
6 nor subclause (V)” and by striking “not” and
7 by striking “if such new fuel”;

8 (D) in item (aa) of subclause (IV) by in-
9 serting “if such new fuel” after “(aa)” and by
10 striking “; or” and inserting “, or if the list has
11 been revised under subclause (III), on the re-
12 vised list”;

13 (E) in item (bb) of subclause (IV) by in-
14 serting “if such new fuel” and by striking “as
15 of September 1, 2004.” and inserting “, or if
16 the list has been revised under subclause (III),
17 on the revised list, and”;

18 (F) by striking so much of the last sen-
19 tence of subclause (IV) as precedes the phrase
20 “if the Administrator”, by striking “a new
21 fuel” in such last sentence and inserting “such
22 new fuel”, and by designating the remaining
23 language in such last sentence as item (cc) and
24 adjusting the left margin accordingly.

1 **SEC. 4. COMPLETION OF HARMONIZATION STUDY.**

2 Paragraph (1) of section 1509(b) of the Energy Pol-
3 icy Act of 2005 is amended by striking “June 1, 2008”
4 and inserting “the earlier of (A) the date 9 months after
5 the date of the enactment of Boutique Fuel Reduction Act
6 of 2006 or (B) June 1, 2008”.

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